

Dow

CERTIFICATE OF MAILING

I hereby certify that on 5-21-204 this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage to in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shauna Murray

PATENT

Inventor: Fitzhugh Serial No.: 10/623,239 Filing Date: 07/17/2003

Title: HIGHLY CROSS-LINKED

EXTREMELY

HYDROPHOBIC NITRIC
OXIDE-RELEASING
POLYMERS & METHODS
FOR THEIR MANUFACTURE

& USE

Examiner: UNKNOWN

Group Art Unit:

Atty Docket No.: P497 CON 1 (14364-0099)

In The United States Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.56, Applicants submit herewith patents, publications or other information of which they are aware that may be considered in connection with the above-referenced patent application. Submission of this Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "material" to applicants' invention as that term is currently defined in 37 CFR § 1.56 (37 CFR § 1.97(h).

In accordance with 37 CFR § 1.97(g), the filing of this Information disclosure Statement shall not be construed to mean that a search has been made or that no other relevant information exists.

Applicant: Fitzhugh et al. Serial No.: 10/623,239

Group Art Unit:

PATENT Docket No. P497 CON 1(14364-0099)

The filing of this information disclosure statement shall not be construed as an admission against interest in any matter. Notice of January 9, 1992, 1135 O.G. 13-25 at 25.

A Patent and Trademark Office Form PTO/SB/08A listing each of these informational items is enclosed along with a copy of each item.

This Information Disclosure Statement is being filed before the issuance of the first Office Action. The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account No. 50-1329.

Dated: <u>5/21/0</u>4

Respectfully submitted,

Louis C. Cullman

Registration No. 39,645

STRADDLING YOCCA CARLSON AND RAUTH 660 Newport Center Drive, Suite 1600

Newport Beach, CA 92660 Telephone: (949) 725-4000

Facsimile:

(949) 725-4100

Customer Number: 31,278

PTO/SB/08A (08-03)

Approved for use through 07/31/2006.OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substance for form 1449A/PTO Complete if Known Application Number 10/623,239 7/17/2003 INFORMATION DISCLOSURE Filing Date STATEMENT BY APPLICANT Fitzhugh et al. First Named Inventor Group Art Unit 1616 **Examiner Name** Unassigned (use as many sheets as necessary) 1 **Attorney Docket Number** P497 CON 1 (14364-0099) Sheet of

U.S. PATENT DOCUMENTS						
		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where	
Examiner Initials	Cite No. ¹	Number-Kind Code ^{2 (if known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	

FOREIGN PATENT DOCUMENTS									
	aminer nitials	Cite No.1	Office ³	Foreign Patent Docume	ent Kind Code⁵	Name of Patentee or Applicant of Cited Document	Date of Publications of Cited Documents MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
			wo	0030658	A1	Smith et al.	06/02/2000]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the			
Examiner	Cite	item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),	T ²		
Initials	Initials No. No. publisher, city and/or country where published.				
_		Downey et al.; Growth Mechanism of Poly(divinylbenzene) Microspheres in Precipitation Polymerization;			
		American Chemical Society, Easton, US, Vol. 32, No. 4, 4 May 1999; pgs 2838-2844			
		Pulfer et al.; Incorporation of Nitric Oxide-Releasing Crosslinked Polyethyleneimine Microspheres Into Vascular Grafts;			
		Journal of Biomedical Materials Research; Wiley, New York, NY, Vol. 37, No. 2, November 1997 (1997-11); pp. 182-189			
		Zhang et al.; Synthesis of Nitric Oxide Releasing Silicone Rubbers for Biomedical Applications; Polymer Preprints;			
		Vol. 40, No. 2, 1999, pgs 799-800			

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.4. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to processO and application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is stitmated to take 2.0 hours to complete, including gathering, preparing, and submitting the completed application or to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, US Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commercial Patents R.O. Box 1450 Alexandria, VA 22313-1450. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.